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FM AMEMBASSY RANGOON  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9721  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RUEHBY/AMEMBASSY CANBERRA 2373  
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C O N F I D E N T I A L RANGOON 000007

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO  
PACOM FOR FPA

E.O. 12958: DECL: 01/07/2019

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: BURMA: DEATH SENTENCES FOR TWO OFFICIALS ACCUSED  
OF LEAKING SENSITIVE INFORMATION, PHOTOS

Classified By: Political Officer Marc Shaw for Reasons 1.4 (b) & (d)

11. (C) An Embassy Rangoon source confirmed media reports that the Insein District Special Court in Rangoon on January 7 sentenced Win Naing Kyaw -- a retired Army Major -- and Thura Kyaw -- a low-level Ministry of Foreign Affairs (MOFA) employee in the European Affairs Division -- both to death for violating the Emergency Provisions Act in conjunction with leaking military secrets to the exile media. A third defendant, former MOFA employee Pyan Sein (NFI), received a 15-year sentence for violating the Electronics Act. Win Naing Kyaw was given an additional 20 years for violating that same law.

12. (C) In June 2009, stories and photos surfaced on the internet and in other media abroad of the Burma government's alleged tunnel-building program (reportedly assisted by the North Koreans) and of secret visits by senior-level generals to North Korea. According to media reports, several MOFA and Ministry of Defense officials have been arrested in connection with those information leaks. Some of our sources attribute a recent personnel reshuffle at MOFA to the leaks. Others within MOFA say the reshuffle was essentially the routine set of diplomatic transfers that take place in December-January each year. The January 7 sentences are the first concrete punishments to result from the incident.

13. (C) After military retirement, Win Naing Kyaw worked for the Foreign Economic Relations Department of the Ministry of National Planning and Economic Development until 2006. After that, he worked for an NGO. It is unclear where he was working at the time of his arrest.

Comment  
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14. (C) Although Burma has the death penalty, to our knowledge the last publicly confirmed execution here took place in 1977. (Note: There are unconfirmed reports the GOB hanged a North Korean major in 1985 in connection with the 1983 assassination attempt on the visiting South Korean president. End note.) Fifty four prisoners are currently sentenced to death, residing in Insein Prison. We know very little about the charges filed or the court proceedings against those sentenced January 7. However, the harsh sentences would seem intended to send a severe message to any

would-be leakers.  
DINGER